

Corrections to document ECE/EB.AIR/2011/8 by the chair of WGSR, Richard Ballaman

Introduction to the informal document

After the negotiation session of the 49th WGSR in September 2011 the secretariat compiled a new document “Options for revising the 1999 Gothenburg Protocol to Abate Acidification, Eutrophication and Ground-level Ozone (ECE/EB.AIR/2011/8)” to assist negotiations at the coming 29th session of the Executive Body in December. When preparing for the EB I noticed some small mistakes, inconsistencies and redundancies. To save time at our next negotiation session I prepare this document which suggests improvements to the text under negotiation and gives the rationale for these changes. It should then be considered by the persons in charge of re-drafting the GP text.

PROTOCOL

Art 1

*Para 20. (b)

Text could read: ... values in annexes IV to VI, **IX** or X

Note: Currently, this para 20 deals with stationary sources. In annex IX there are new and existing manure stores and new and existing animal housing. The 1999 Gothenburg Protocol also has new and existing manure storage and new animal housing. If these sources would fall under stationary sources then the definition in para 20 needs only little adjustment to include annex IX. The definition of stationary sources (para 19) is flexible enough to include manure storage and animal housing. If the EB does not favor this then another solution has to be found.

Art 3

*Para 1.

The obligation with regard to annex II should preferably be kept solo.

Note: Para 1, as it was, is the most important obligation of the Protocol.

In the third bold paragraph it should be: **Guidance Document I** (see numbering of Guidance Documents)

The three bold paragraphs now still in para 1 on Black Carbon (BC) could appear as one para. after para 7 of art. 3 or alternatively in Art. 6. These aspects will certainly merit further negotiations at the EB meeting.

*Para 5.

In the one but last line it should be: **Guidance Documents I and IV**

In para 7 (b).

It should be: **Guidance Document V**

Art 5

*Para 1 (e).

It should be: **Guidance Document VII adopted by the Executive Body at its [XXth] session (decision 20xx/x) and any amendments thereto.**

Art 6

*Para 1 (f).

It should be: **Guidance Documents I, IV and V**

*Para 1 (g).

It should be: **Guidance Document VI**

Art 7

*Para 1 (a) (i).

It should be article 3, paragraphs **2, 3 and 7**

*Para 1 (a) (ii).

It should be article 3, paragraphs **3 and 6**

*Para 1 b.

The first part of para 7.1.b could read:

Each Party within the geographical scope of EMEP shall report emission data on the basis of guidelines as prepared by the Steering Body of EMEP and adopted by the Executive Body, to EMEP through the Executive Secretary of the Commission.

Note: Art 7.1.b provides for the enabling clause for the Guidelines on emission inventories and projections. This means that the guidelines are mandatory for the parties to the protocol. The list of things and the substances needs to be deleted or else the obligation only refers to the 5 substances and the listed things mentioned. Furthermore, there is no need to spell out what data needs to be delivered for. The guidelines can do that better, can be changed more flexibly and can be more specific.

The second part of para 7.1.b could be replaced by:

Where a Party decides to apply the adjustment procedure described in article 3.14, it shall document this in its Informative Inventory Report.

Note: The bold text in italics below was drafted in connection to a flexibility paragraph that is now replaced by art 3.14. The text needs to be adapted to this new para if Parties want to keep the intended reporting in the IIR.

The report includes an Informative Inventory Report containing detailed information on reported emission inventories and emission projections, including specification of the effect of new sources and new emission factors found after the adoption of the Protocol.

*Para 1. (e)

The text should be: ... **of the Guidance Document on Nitrogen Budgets VIII adopted by the Executive Body at its [XXth] session (decision 20xx/x) and any amendments thereto. The first ...**

*Para 3 (c).

It should be: ... **in Guidance Document VII adopted by the Executive Body at its [XXth] session (decision 20xx/x)] and any amendments thereto; and]**

*Para 7.

This para. should be rephrased

Note: The paragraph is unclear with respect to the rest of article 7.

Art 10

*Para 3.

It should be: **revising Guidance Document I** or

*Para 7.

It should be: ... annexes II and IV to **XI**.

Numbering of the Guidance Documents

The Guidance docs should be numbered as follows:

Guidance doc I = BAT doc on all 5 substances

Guidance doc II and III will not be used for the amended protocol

Guidance doc IV = mobile sources

Guidance doc V = control techniques for NH₃ in agriculture

Guidance doc VI = economic instruments

Guidance doc VII = environment and health improvements

Guidance doc VIII = nitrogen budgets (**currently not in the list with Guidance docs of document EB.AIR/2011/8**)

Note: It is incorrect to renumber the Guidance Documents in the amended Gothenburg Protocol since the 1999 Gothenburg Protocol will remain in force, including the Guidance Docs and any amendments thereto. The numbering of the annexes and guidance docs of the 1999 Gothenburg Protocol and the amended Protocol the numbering should be kept in line for both versions of the Protocol.

N.B.: In the EB decisions on the Guidance docs at the time of adoption together with the amended protocol it should be mentioned that the Guidance docs of the amended version of the Protocol are the same for the 1999 Protocol (any amendments thereto !)
